

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3763
MIDDLEMAN et al.) Examiner: Cris Rodriguez
Serial No.: 09/123,614)
Filed: June 28, 1998)
For: Device for Anchoring Tubular)
Element) Pasadena, California

RESPONSE AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Response and Amendment responds to the outstanding Office Action dated February 4, 2000. Please amend the application as follows:

I hereby certify that this paper is being transmitted by facsimile via (703) 305-3590 to the U.S. Patent and Trademark Office on the date shown below.

Printed Name: ELAINE PORTER

Elaine Porter
Signature

March 20, 2000
Date

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a proximal end and a distal end;
b) deployment means positioned within the outer lumen and slideable with respect to the outer lumen, the deployment means [having a] comprising a hollow tubular inner lumen with a wall having an inner surface, where the inner lumen has a proximal end and a distal end, and where the inner lumen has a bore extending completely through the inner lumen from the proximal end [and a] to the distal end; and,

c) a plurality of resilient anchoring members [coupled] attached to the distal end of the [deployment means] inner lumen and extending longitudinally beyond the distal end of the [deployment means] inner lumen, each anchoring member being reversibly movable by the deployment means between a first position and a second position, [wherein] where in the first position, at least a portion of each anchoring member is retracted within the outer lumen [of the tubular element], and [wherein] where in the second position, at least a portion of each anchoring member is deployed exteriorly to the outer lumen [of the tubular element], so as to engage [an inner wall] the inner surface of .

2. (Amended) The apparatus of claim 1, [wherein] where the tubular element is a catheter.

7. (Amended) The apparatus of claim 1, [wherein] where the deployment means further comprises [an elongated] a guide wire having a proximal end and a distal end, and

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[further having a collar member coupled] where the inner lumen is a collar member attached to the distal end of the guide wire.

8. (Amended) The apparatus of claim 1, [wherein] where the anchoring members [are comprised of] comprise a pseudoelastic material.

9. (Amended) The apparatus of claim 8, [wherein] where the pseudoelastic material is a nickel titanium alloy.

10. (Amended) The apparatus of claim 1, [wherein] where the anchoring members [are comprised of] comprise spring steel.

11. (Amended) The apparatus of claim 1 [having], where the plurality of resilient anchoring members comprises two anchoring members.

22. (Amended) A method for anchoring a tubular element within a passageway formed in a mammalian body, the passageway having an inner surface, the method comprising [the steps of]:

a) providing the apparatus of claim 1;

b) positioning the apparatus [of claim 1] at a selected location within the passageway; and

c) deploying at least a portion of anchoring members [of the apparatus of claim 1] against [an inner wall within] the inner surface of the passageway thereby anchoring the tubular element within the passageway at the selected location; and,

d) engaging the anchoring members from the inner wall and retracting the anchoring members back into the tubular element].

Add new claims 24-27:

24. The apparatus of claim 1, where the anchoring members are attached within the wall of the inner lumen.

25. The apparatus of claim 1, where the anchoring members are attached to the inner surface of the wall of the inner lumen.

26. The apparatus of claim 1, where the anchoring members are substantially oval in